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SUBJECT: BOLIVIA: DETAINEE FORCED TO CONFESS AGAINST US?

REF: LA PAZ 1243

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Summary
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¶1. (SBU) Citing insufficient evidence, a judge ordered released anti-government activist Roberto Lenin Sandoval Lopez, who was illegally abducted and incarcerated by a police intelligence unit on June 2. The prosecutor in Sandoval's case had already decided not to press charges due to the government's illegal arrest. Sandoval claims, that while in police custody, officers threatened his life and forced him to file a false confession. Sandoval asserts the police pressured him to state that the U.S. Embassy was financing a Sucre opposition leader. Sandoval's alleged confession comes at time when the Bolivian government on a nearly daily basis accuses the USG of conspiring against it, and is continually looking for any reason (real or not) to close down or curtail the activities of USAID. Various social groups are using Sandoval's release as a pretext to march on the Embassy on June 9. The prosecutor and judge showed great courage in standing up to President Evo Morales' government, which clearly wanted Sandoval behind bars. Evo will likely make both into his latest set of targets in his usual rhetorical attacks on the judiciary as corrupt and against his government. Beyond the rhetoric, the prosecutor and judge could face threats from Evo's ardent supporters in El Alto. End Summary.

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Catch . . .
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¶2. (SBU) Six police officers abducted Sandoval from outside his home in Sucre the morning of June 2 and transported him to El Alto. The police never presented the legally required arrest warrant. Minister of Government Alfredo Rada at 8:30 PM on June 2 explained that Sandoval had been detained for fomenting terrorism and sedition, attempted murder, and several other charges. Rada claimed that Sandoval was an instigator of several violent anti-government events in Sucre (reftel).

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. . . And Release
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13. (SBU) By 6:30 AM June 3, according to press sources, the Ministry of Government presented its claims to El Alto prosecutor Harry Suaznabar. Sandoval was among 12 people charged with 25 separate crimes including terrorism and sedition. Suaznabar chose not to press charges due to problems associated with Sandoval's detention. Around 3:00 PM, judge Daniel Espinal reviewed the case and decided to release Sandoval because he found no "elements" or evidence that "sustained" the charges against him.

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A Forced Confession?
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14. (SBU) Sandoval spent approximately 30 hours in police custody (in transit to El Alto and within the El Alto police facility). According to a press interview conducted shortly after his release, Sandoval claims he was threatened and pressured into a forced confession. Sandoval asserts he was forced at gunpoint to state that U.S. Embassy finances Jaime Barron, leader of the opposition Chuquisaca Inter-Institutional Committee. Sandoval also alleges his police captors forced him to declare that San Xavier University, where Barron is rector, is financing the Sabina Cuellar's prefect campaign. (Note: Cuellar is the opposition Chuquisaca Inter-Institutional Committee's candidate for the June 29 prefect election. Polling suggests Cuellar will easily defeat the pro-government MAS candidate Walter Valda. End Note).

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The Government and Its Supporters React
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15. (SBU) Despite a significant public outcry against Sandoval's illegal detention, including a very pointed criticism from Bolivia's human rights ombudsman, the Vice Minister of Interior Ruben Gamarra expressed the government's "indignation" over Sandoval's release. Minister of Government Rada stated that Sandoval, "constitutes a danger to state security." Rada added that the government's cases against the 12 suspects will continue, and that Sandoval's capture "permitted the investigation to advance."

16. (SBU) Members of various El Alto social groups who support President Evo Morales) including the Regional Workers Union (COR) and the Neighborhood Association (FEJUVE) - circled the prison where Sandoval was held and demanded he be transferred to Conchoncorro prison (a maximum security facility). Police had to disguise Sandoval as one of their own to transport him to the court where he was eventually freed. Upon hearing of Sandoval's release, FEJUVE's Ismael Herrera announced that El Alto would carry-out a general strike on June 9, and that El Alto residents would march on the U.S. Embassy. (Comment: Herrera's declaration to march on the Embassy was not news. We have been hearing through both public and private sources that the Embassy may be the target of demonstrations on January 9. End Comment).

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Comment
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17. (SBU) It is encouraging that both prosecutor Suaznabar and judge Espinal had the strength to follow the law and more importantly stand up to Evo Morales' government in the Sandoval case. Both Suaznabar and Espinal took significant risks as they work in El Alto, a stronghold of Evo's base where radicals often threaten people who do not tow Evo's (or their) line. Furthermore, Evo frequently criticizes the judiciary as corrupt and against his government, he can be expected to make this argument against Suaznabar and Espinal.

End Comment.

GOLDBERG